

REMARKS

Claims 1-15 and 17-21 are in this application and are presented for consideration. By this amendment, Applicant has amended claims 1, 4, 6, 15 and 19-21.

The drawings have been objected to under 37 CFR 1.83(a) because the Office Action states that the adapter having a plastic molding is not shown in the drawings.

Applicant has attached a replacement sheet of drawings of Figure 1. Figure 1 has been amended to designate the plastic molding with the reference numeral “28”. Applicant respectfully requests that the Examiner remove the objection to the drawings based on the drawings as now presented.

Claims 1-8 and 11-14 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Murakami (U.S. 5,706,701) in view of Kim (U.S. 4,558,609).

The present invention relates to a shifting device for transmitting shift commands to a motor vehicle transmission. Applicant has discovered the problem that conventional shifting devices having an integrated switch require complicated and expensive safety precautions. Applicant has solved this problem by providing a shifting device which includes an adapter that is connected to an upper portion of a selector lever with the adapter being located a position above the shift gate. The adapter has an outer side surface that defines a recess wherein at least a portion of one or more lines of a connection cable are arranged. A hand knob is connected to the adapter wherein the hand knob is connected to the upper portion of the selector lever via the adapter. The arrangement of the one or more lines in the recess in the side of the adapter is an important feature of the present invention because it advantageously

does not require the complicated safety measures for the switch and the one or more lines as featured in conventional techniques. The arrangement of the one or more lines in the recess in the adapter and the switch connected to the adapter saves a significant amount of manufacturing costs since an electrical connection does not have to be made at the selector when the shifting device arrives at the vehicle manufacturer. The prior art as a whole fails to disclose such features or such manufacturing cost savings advantages.

Murakami discloses a wiring-harness connection structure of a transmission shift-lever device. The device includes a shift knob 1 that is firmly fitted onto an upper end of a pipe-like shift lever 24 through an elongated shift slot 26 formed on a position-indicator cover assembly 25 and an opening 23 of a longitudinally elongated slide plate 22. A pair of rod-like signal lines 6 are connected to respective terminals of an OD switch 3 and spaced apart from each other. Each conductor 6 is formed with a stepped portion 6a such that the pair of rod-like conductors 6 extend downwardly along the outside guide surface 9a of the cylindrical hollow section of the skeleton frame 9. The skeleton frame 9 is integrally formed with a pair of conducting-line guides 9c at the lower end of its cylindrical hollow section. Each conducting-line guide 9c has a guide hole 9d and a cylindrical hollow portion 7, both intercommunicating with each other. The lower end of the conductor 6 is inserted into a guide hole 9d and partially exposed into the hollow portion 7.

Murakami fails to teach and fails to suggest the combination of a hand knob connected to an adapter wherein the hand knob and the adapter are connected on an upper portion of a selector lever at a position above a shift gate as claimed. According to the present invention,

the adapter has a recess for one or more electrical lines wherein the one or more electrical lines are located adjacent to an outer side surface of the adapter. The Office Action takes the position that the guide hole 9d of Murakami is the equivalent of the recess of the adapter as featured in the present invention. However, the guide hole 9d of Murakami is located below the elongated shift slot 26. This disadvantageously requires a more complicated electrical connection. Compared with Murakami, the adapter and the hand knob of the present invention are located at a position above the shift gate. According to the present invention, a connection cable is provided wherein at least a portion of one or more lines is located in a recess in the adapter. This advantageously provides a prebuilt, prechecked adapter having a switch and the necessary electrical lines. This is significant in the present invention because the switch and necessary electrical lines being already connected to the selector lever allows the shifting device to be quickly installed in a motor vehicle. This drastically reduces overall manufacturing costs. Murakami fails to disclose such reduced manufacturing cost advantages since Murakami clearly shows in Figure 1 that the skeleton frame 9 with the guide hole 9d is located at a position below the elongated shift slot 26. As such, the prior art as a whole takes a completely different approach and fails to teach or suggest important features of the claimed combination.

Kim discloses a joystick controller 10 with interchangeable handles. The joystick controller 10 has a two-part housing 11 that includes a cover 20 and a bottom 30. A handle assembly 40, which includes handle member 60, is tiltably mounted in the housing 11. The cover 20 has a rectangular top wall 21 provided around the peripheral edges thereof with a

continuous depending skirt or side wall 22. Integral with the top wall 21 centrally thereof and projecting upwardly therefrom is a frustoconical turret 23 having a circular aperture 24 in the upper end thereof. Mounted within the turret 23 is a handle support assembly 25, in which is mounted a flexible diaphragm 26. The diaphragm 26 has a central aperture therethrough in which is disposed a bushing 27. The bottom 30 of the housing 11 includes a rectangular bottom wall 31 integral at the perimeter thereof with a continuous upstanding skirt or side wall 32. The edges of the skirts 22 and 32 of the cover 20 and bottom 30, are flanged for mating engagement with each other for cooperation to form a closed housing. A plurality of leaf switches 36 are disposed within the housing 11 beneath the handle support assembly 25. The edge of the cover skirt 22 is provided with a notch for accommodating a cable 37. The handle assembly 40 includes an elongated, cylindrical, tubular shaft 41 that extends through the aperture 24 and has a reduced diameter inner end 42 extending through the bushing 27 coaxially therewith and secured thereto.

Kim fails to teach or suggest the combination of an adapter that is connected to an upper end of a selector lever at a position above a shift gate as claimed. At most, Kim discloses a handle assembly 40 that includes a tubular shaft 41 that extends through aperture 24 in turret 23. However, Kim fails to teach or suggest that the handle assembly 40 is located at a position above the turret 23 as claimed. Compared with Kim, the adapter is connected to the selector lever at a position that is located above the shift gate. According to the present invention, the adapter has a recess wherein at least a portion of one or more lines of a connection cable is disposed. This advantageously decreases the time it takes to install the

shifting device since the switch and the electrical lines do not have to be separately installed. This saves a significant amount of money in manufacturing costs since the labor involved in installing the shifting device in a motor vehicle is drastically reduced. Kim fails to disclose such manufacturing cost efficiency advantages since the tubular shaft 41 of the handle assembly 40 extends through the circular aperture 24 in the turret 23 such that the tubular shaft 41 is not located at a position above the turret 23 as claimed. As such, the prior art as a whole takes a completely different approach and fails to establish a *prima facie* case of obviousness since the prior art as a whole does not teach or suggest each and every feature of the claimed combination. Accordingly, Applicant respectfully requests that the Examiner favorably consider claim 1 as now presented and all claims that depend thereon.

Claim 9 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Murakami in view of Kim and in further view of Tucker (U.S. 7,032,074).

Although Tucker teaches a mechanical attachment for a shift lever vibration isolator, the references as a whole fail to suggest the combination of features claimed. Specifically, Murakami, Kim and Tucker provide no suggestion or teaching for the combination of an adapter having a recess with one or more lines arranged therein wherein the adapter is located at a position above a shift gate. As such, the references together do not teach or suggest the combination of features claimed. One of ordinary skill in the art is presented with various concepts, but these concepts do not provide any direction as to combining the features claimed.

All claims define over the prior art as a whole.

Claim 10 has been rejected under 35 U.S.C. 103(a) as being unpatentable over

Murakami in view of Kim and in further view of Nedachi (U.S. 5,588,329).

As previously discussed above, Murakami and Kim fail to teach or suggest a hand knob that is connected to an upper portion of a selector lever via an adapter wherein the adapter is located at a position above a shift gate as claimed. Nedachi also does not provide any teaching or suggestion for an adapter that is located at a position above a shift gate as featured in the present invention. Nedachi merely discloses a snap together shift knob construction, but makes no mention of an adapter having a recess wherein the adapter is located at a position above a shift gate as claimed. As such, the prior art as a whole does not establish a *prima facie* case of obviousness. Accordingly, all claims define over the prior art as a whole.

Claims 15 and 17-20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Murakami in view of Kim. Claim 21 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Murakami in view of Kim.

As previously discussed at length above, Murakami and Kim fail to teach and fail to suggest the combination of a selector lever having an upper end connected to an adapter wherein the adapter is located at a position above a shift gate as claimed. As such, the prior art as a whole does not teach or suggest important features of the claimed combination. Accordingly, Applicant respectfully requests that the Examiner favorably consider claims 15 and 21 and all claims that respectively depend thereon.

Favorable consideration on the merits is requested.

Respectfully submitted  
for Applicant,



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Attached: One (1) Sheet of Replacement Drawings

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